

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF GEORGIA  
STATESBORO DIVISION

KEVIN BOYD,	)	
	)	
Plaintiff,	)	
	)	
v.	)	CV 624-050
	)	
BRIAN ADAMS, Warden; SCOTTIE	)	
ROACH; Sgt.; and KIMBERLY	)	
PHILLIPS ADDIS, Nurse,	)	
	)	
Defendants.	)	

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**MAGISTRATE JUDGE’S REPORT AND RECOMMENDATION**

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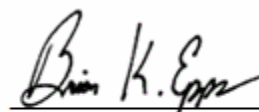
Plaintiff, incarcerated at Smith State Prison in Glennville, Georgia, is proceeding *pro se* and brought this case pursuant to 42 U.S.C. § 1983. On October 24, 2025, Defendant Adams filed a motion for summary judgment. (Doc. no. 107.) However, the summary judgment motion does not contain a statement of material facts, as required under Local Rule 56.1. Specifically, Local Rule 56.1 provides a party moving for summary judgment must include “a separate, short, and concise statement of the material facts as to which it is contended there exists no genuine dispute to be tried as well as any conclusions of law thereof.” Loc. R. 56.1

Local Rule 56.1 is no empty formality. Such a statement, when combined with the non-movant’s response, narrows the issues in dispute and provides the Court with record cites to determine the precise nature of those disputes. Accordingly, the Court recommends denial of Defendant Adams’ summary judgment motion without prejudice based on this procedural defect. See Gray v. Mayberry, No. CV 318-045, 2021 WL 1085307, at \*2 (S.D. Ga. Feb. 22,

2021) (recommending denial of motion for summary judgment for failure to submit statement of material facts in accordance with local rules), *adopted by* 2021 WL 1083181 (S.D. Ga. Mar. 18, 2021); Bradley v. Branch Banking & Tr. Co., No. 3:15-CV-012, 2015 WL 11422296, at \*8 (N.D. Ga. July 30, 2015), *adopted by* 2015 WL 11455759 (N.D. Ga. Aug. 24, 2015) (same); Hill v. Hill, No. 6:20-CV-23, 2021 WL 6689177, at \*1-2 (S.D. Ga. Nov. 23, 2021), *adopted by* 2022 WL 213867 (S.D. Ga. Jan. 24, 2022), *superseded sub nom.* Hill v. Hill, No. 6:20-CV-23, 2022 WL 386025 (S.D. Ga. Feb. 8, 2022), and *adopted by* 2022 WL 386025 (S.D. Ga. Feb. 8, 2022) (same); see also Layfield v. Bill Heard Chevrolet Co., 607 F.2d 1097, 1099 (5th Cir. 1979)<sup>1</sup> (holding failure to comply with Local Rules may result in summary denial of motion).

Therefore, the Court **REPORTS** and **RECOMMENDS** Defendant Adams' summary judgment motion be **DENIED** without prejudice. (Doc. no. 107.) Defendant Adams may refile the summary judgment motion because, in light of the current stay of discovery, (doc. nos. 99, 100), the deadline for filing summary judgment motions has not expired.

SO REPORTED AND RECOMMENDED this 26th day of November, 2025, at Augusta, Georgia.



BRIAN K. EPPS  
UNITED STATES MAGISTRATE JUDGE  
SOUTHERN DISTRICT OF GEORGIA

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<sup>1</sup> In Bonner v. City of Prichard, 661 F.2d 1206, 1209 (11th Cir. 1981) (*en banc*), the Eleventh Circuit adopted as binding precedent the decisions of the former Fifth Circuit rendered prior to October 1, 1981.